

FILEDUNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO**United States District Court** MAY 11 2016 *JH*DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA

MATTHEW J. DYKMAN
CLERK

v.

CRIMINAL COMPLAINTKyle L. MANSFIELD
YOB: 1990

CASE NUMBER:

16mj 2164

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about May 9, 2016 in Cibola County, in the State and District of New Mexico defendant, an Indian, did, (Track Statutory Language of Offense)

The defendant, Kyle L. Mansfield, an Indian, unlawfully assaulted John Doe, an Indian male, in Indian Country, by assaulting him with a dangerous weapon and by the discharge of a firearm during a crime of violence. As a result of the assault, John Doe sustained a gunshot wound to his left leg causing immediately impairment and disfigurement.

in violation of Title 18 United States Code, Section(s) Section 113(a)(3), 113(a)(6), & 924(c).

I further state that I am a Special Agent of the Bureau of Indian Affairs and that this complaint is based on the following facts:

See Attached Affidavit hereby incorporated by reference as if fully restated herein.

Continued on the attached sheet and made a part hereof:



Yes



No

F Chavez

Signature of Complainant

SAUSA – Kyle T. Nayback

Franklin D. Chavez, Special Agent
Bureau of Indian Affairs – Office of Justice Services

Sworn to before me and subscribed in my presence,

May 11, 2016

Date

at Albuquerque, New Mexico

City and State

Steven C. Yarbrough

Name & Title of Judicial Officer

*U.S. Magistrate Judge**Steven C. Yarbrough*

Signature of Judicial Officer

IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA)

VS.)

KYLE L. MANSFIELD (YOB: 1990)

Case No: _____

AFFIDAVIT

1. I, Franklin D. Chavez Jr. have been a Law Enforcement Officer for 19 years and have performed various law enforcement duties as a Corrections Officer, Corrections Transport Officer, Police Officer, Criminal Investigator, Special Agent, Internal Affairs Agent, and Professional Standards Division Inspector, while employed with various Law Enforcement entities. For the past 16 years, I have been employed with the Bureau of Indian Affairs, Law Enforcement Division and am currently a Special Agent. My primary duties as a Special Agent are to investigate major criminal offenses, which occur within the exterior boundaries of the Indian reservations to which I am assigned. Assaults are one of my responsibilities. The information set forth in this affidavit is known to me as a result of my own investigation or has been communicated to me by other law enforcement officers, agencies or agents.

2 Because this affidavit is being submitted for the purpose of securing a Warrant for Arrest, I have not included each and every fact known to me concerning this investigation. I have set forth facts I believe are necessary to establish probable cause to arrest KYLE L. MANSFIELD (YOB: 1990) for the Assault of JOHN DOE (YOB: 1982),

for the crime of Assault with a Dangerous Weapon, a violation of Title 18, United States Code, Section 113(a)(3), for the crime of Assault Resulting in Serious Bodily Injury, a violation of Title 18, United States Code, Section 113(a)(6), and for the crime of Discharge of a firearm during a crime of violence, a violation of Title 18, United States Code, Section 924(c). KYLE L. MANSFIELD will be referred to as MANSFIELD within this affidavit.

3. On May 9, 2016, at about 8:53 p.m., the Laguna Police Department (PD) was notified of an assault at 13 Quail Road in the village of Seama located within the Laguna Indian Reservation, State of New Mexico. Officer Thomas KOHN made contact with Laguna Emergency Medical Services (EMS) at 13 Quail Road and was advised an adult male tribal member identified as JOHN DOE (YOB: 1982) had sustained a gunshot wound to his left leg. Officer KOHN briefly spoke with JOHN DOE and received information regarding the scene location. At 9:36 p.m., Laguna EMS transported JOHN DOE to the Acoma/Canoncito/Laguna (ACL) Hospital for medical treatment. JOHN DOE was treated by Dr. Joseph MORRIS for a partial thickening laceration that penetrated the subcutaneous tissue as a result of the gunshot. JOHN DOE's laceration was about 3 cm x 1 cm at its widest point.

4. On May 9, 2016, at about 10:45 p.m., Laguna PD located several .22 caliber empty casings in front of 13 Quail Road, where JOHN DOE had indicated he was shot.

5. On May 10, 2016, at about 2:15 a.m., BIA/OJS Special Agent (SA) Franklin CHAVEZ met with Laguna SA Frances FLORES at the Laguna Police Department. SA CHAVEZ and SA FLORES advised MANSFIELD of the nature of the interview. MANSFIELD waived his Constitutional Rights and voluntarily agreed to provide a statement. MANSFIELD stated he was at Terry KANTEENA's residence located at 13 Quail Road in the village of Seama, located within the exterior boundaries of the Laguna Pueblo Reservation. MANSFIELD stated he observed an adult male near KANTEENA's residence waving his hands up in an aggressive posture. MANSFIELD indicated as he arrived to 13 Quail Road, the male subject approached his vehicle. MANSFIELD admitted retrieving a Ruger .22 Caliber Pistol from underneath the driver's seat and subsequently fired several rounds toward the ground in the direction of the male subject. MANSFIELD stated he fired the rounds to scare the male subject. MANSFIELD advised he did not consider the male subject to be a threat and indicated he did not know why he fired the rounds. MANSFIELD said he left the area immediately after the incident. MANSFIELD voluntarily provided consent to search his bedroom and indicated the weapon was located in his bedroom closet underneath his pants. MANSFIELD signed the consent to search form authorizing the Agents to retrieve the weapon.

6. On May 10, 2016, at about 3:41 a.m., SA CHAVEZ and SA FLORES made contact at 14 Blue Star Loop, Casa Blanca, New Mexico. SA CHAVEZ and SA FLORES identified the location as MANSFIELD's residence. Both Agents entered the residence and apprised the occupants of the consent to search form signed by MANSFIELD. SA CHAVEZ entered MANSFIELD bedroom and searched the closet

area underneath a stack of pants. SA CHAVEZ located a black in color .22 Caliber Ruger Pistol with serial number# 138341. SA CHAVEZ secured the pistol and left a property receipt for the item which was retrieved.

7. On May 10, 2016, at about 7:46 a.m., SA CHAVEZ interviewed JOHN DOE at his residence in the village of Seama, located within the Laguna Indian Reservation. JOHN DOE was advised the nature of the interview and agreed to speak with SA CHAVEZ. JOHN DOE stated he was at Myron SARRACINO's residence located next to 13 Quail Road. JOHN DOE said he and SARRACINO had been consuming alcoholic beverages during the evening. JOHN DOE indicated around 8:45 p.m., he left SARRACINO's residence on foot and was walking to his residence when a gold vehicle drove by him at a high rate of speed. JOHN DOE stated he yelled at the driver to "Slow Down!" JOHN DOE advised the gold vehicle came back around the corner and the driver fired several shots at him, striking him once on the left leg. JOHN DOE indicated after getting shot he felt extreme pain and believed the pain level was at a 10 on a scale of 1 - 10, with 10 being the highest pain level. JOHN DOE identified the shooter as MANSFIELD.

8. The victim is JOHN DOE (YOB: 1982), a Native American male and an enrolled tribal member of the Laguna Indian Tribe, State of New Mexico.

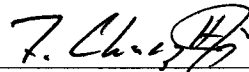
9. The suspect is **Kyle L. MANSFIELD** (YOB: 1990), a Native American male and an enrolled tribal member of the Laguna Indian Tribe, State of New Mexico.

10. The assault occurred in front of a residence located at 13 Quail Road, in the village of Seama. This residence is located within the exterior boundaries of the Laguna Indian Reservation, State of New Mexico.

11. Based on the above mentioned facts known to me concerning this investigation, your Affiant believes probable cause exists to arrest **Kyle L. MANSFIELD (YOB: 1990)** for the crimes of Assault with a Dangerous Weapon, Assault Resulting in Serious Bodily Injury, and Discharge of a Firearm during a crime of violence in violation of Title 18, United States Code, Sections 113(a)(3), 113(a)(6), and 924(c), for the assault of JOHN DOE (YOB: 1982).

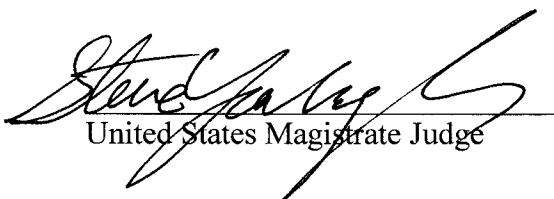
A review of the criminal complaint was made by Supervisory Assistant United States Attorney Kyle T. Nayback, State and District of New Mexico

I swear this information is the truth to the best of my knowledge and belief.



Franklin D. Chavez Jr.
Special Agent
BIA/OJS Laguna Agency

Subscribed and Sworn to before me
This 11th Day of May 2016



United States Magistrate Judge